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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/576,628

04/04/2007

Christian Peter Petzelt

02839/46201

8178

26646 7590 10/14/2009
KENYON & KENYON LLP
ONE BROADWAY
NEW YORK, NY 10004

EXAMINER

ARNOLD, ERNST V

ART UNIT

PAPER NUMBER

1616

MAIL DATE

DELIVERY MODE

10/14/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Examiner-Initiated Interview Summary	Application No. 10/576,628	Applicant(s) PETZELT ET AL.	
	Examiner ERNST V. ARNOLD	Art Unit 1616	

All Participants:

(1) ERNST V. ARNOLD.

(2) Joseph Coppola.

Status of Application: _____

(3) _____.

(4) _____.

Date of Interview: 7 October 2009

Time: _____

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description: _____.

Part I.

Rejection(s) discussed:

Claims discussed:

Prior art documents discussed:

See Continuation Sheet

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See below.

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Ernst V Arnold/

Primary Examiner, Art Unit 1616

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Identification of prior art discussed: The Examiner contacted Mr. Coppola to follow up on the interview of Friday October 02. It was determined by the Office (STIC search) that the reference of Bedi et al. Crit Care Med 2003 was entered into Pubmed on 10/8/03 (see page 2 of 2 of the attachment underlined in red) and is therefore prior art.

PTO-892 is attached.